

CIPA Compliance and E-Rate

Libraries receiving **Internet Access** and/or **Internal Connections** funds for this current funding year 2003 (7/1/2003 - 6/30/2004) must certify that they are either (a) already in compliance with CIPA or (b) are undertaking actions to be in compliance by 7/1/2004. If you certify that you are undertaking compliance this year, you must be in compliance by 7/1/2004, the start of funding year 2004. This means: you must have an Internet safety policy and "technology protection measures" in place on **all** computers with Internet access in your library by 7/1/2004. In other words, you have a little less than a year to look at your filtering options and decide whether and which ones to buy and install on your library's computers if you want to continue to receive E-Rate discounts for **Internet Access and/or Internal Connections**. More specific instructions follow.

- 1) If you have **NOT YET FILED** Form 486 (Receipt of Service Confirmation Form) and are requesting **Internet Access/Internal Connections** E-Rate funds for the 2003 funding year, you must file a **REVISED** Form 486 to certify that you are (a) either already in compliance with CIPA or (b) are undertaking actions. You have at least until the end of October 2003 to do so (**120 days** from the **start of the funding year July 1, 2003** or from the **date of your Funding Commitment Decision Letter - whichever is later**).
- 2) If you have **ALREADY FILED** a Form 486 for **IA/IC** E-Rate funds for 2003, you must file a **REVISED** Form 486 to certify that you are (a) already in compliance with CIPA or (b) are undertaking actions. The 120 day rule still applies and you have at least until the end of October to do so. You will probably choose to mark #11 (b) on the new Form 486.
- 3) If you have **ALREADY FILED** a Form 486 for **IA/IC** funds for 2003 but are **NOT** in compliance with CIPA and have **NO** intention of undertaking actions, you **CANNOT** receive E-Rate funds **for Internet Access and/or Internal Connections**. You may still receive Telecommunications E-Rate funds. You will probably choose to mark #11 © on the new Form 486. You do not, however, have to return any E-Rate funds received for IA/IC between July 1, 2003 and the effective date of the FCC Order, August 14, 2003. The Order does not specify how you are to "return" unused E-Rate funds for the current year. If you believe this situation may apply to your library, please let us at MSL know, so we can help you find out how you are to proceed.
- 4) If you have **ALREADY FILED** a Form 486 for 2003 for **Telecommunications** E-Rate funds **ONLY**, you have nothing further to do, the FCC Order and CIPA do not apply to your library. You do **NOT** have to file a **REVISED** Form 486 because you do **NOT** have to certify compliance with CIPA. **NOTE:** You may request discounts for **both voice and data lines** (DSL, cable, ISDN, satellite, T1, dial-up) under Telecommunications. If you have questions about which services are considered Telecommunications, Internet Access and/or Internal Connections, be sure to consult the Eligible Services List available on the SLD web site <http://www.sl.universalservice.org/>. If you have **NOT YET FILED** a Form 486 for **Telecommunications** E-Rate funds **ONLY** after the effective date of the Order, you will have to file a **REVISED** Form 486, but will mark #11(c) that **CIPA does not apply** because you are only receiving telecomm funds.
- 5) Watch Wired-MT and the MSL CIPA page <http://msl.state.mt.us/admin/CIPA.htm> for information on when the newly revised Form 486 becomes available, as well as for news on the effective date of the FCC Order. We will also be posting links to updates and additional resources so you can easily find information for your library boards and staff.

CIPA Compliance and Library Services and Technology Act (LSTA)

There are only a couple of key points you need to know about CIPA compliance and LSTA:

- 1) If you are currently an **E-Rate recipient** and meet the requirements for **CIPA compliance** as set forth by the FCC and SLD, you need do nothing further for LSTA. The certification of compliance filed with Form 486 is considered sufficient.
- 2) If you are **NOT** using LSTA funds to purchase **computers to access the Internet** and/or to pay for **direct costs associated with accessing the Internet**, you do not have to make any changes because of CIPA. None of Montana's LSTA funds are currently being dispersed to individual libraries. Nor are they being used to purchase computers to access the Internet and/or to pay for direct costs associated with accessing the Internet. Consequently, you need not worry about the implications of CIPA affecting your library via funds coming into the state from LSTA.